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FOR IMMEDIATE RELEASE:

**ARKANSAS MAN SENTENCED FOR FAILURE
TO PAY CHILD SUPPORT**

PRESS RELEASE

Susan W. Brooks, United States Attorney for the Southern District of Indiana, announced that TRACY A. CLAYTON, 43, Harriet, Arkansas, was sentenced to 10 months imprisonment Friday by U.S. District Judge David F. Hamilton following his guilty plea to Child Support Recovery Act. This case was the result of a investigation by the Health and Human Services Inspector General.

TRACY A. CLAYTON was ordered in 1992 to pay child support for two children residing in Indianapolis. CLAYTON paid the support only sporadically and then quit paying altogether by 2001. By 2004 CLAYTON's arrearage in child support exceeded \$40,000. Meanwhile, from at least 1996, CLAYTON had been receiving tax free benefits from the Veteran's Administration, which included a premium for the dependent children in

Clayton –

Indianapolis for whom he was not paying child support. From April 2001 through August 2004, CLAYTON had received over \$70,000 in tax free benefits from the V.A.

In sentencing CLAYTON, United States District Court Judge David F. Hamilton noted the tension between not imprisoning CLAYTON and allowing him to make restitution on the past-due support, and punishing Clayton appropriately for the crime. In sentencing Clayton to 10 months imprisonment, Judge Hamilton noted that Clayton's children were over 18, so the past-due support was not as significant. Judge Hamilton told Clayton "you have been committing theft from your children every week for years and you ought to be ashamed."

According to Assistant United States Attorney Winfield D. Ong, who prosecuted the case for the government, Judge Hamilton also imposed 1 year supervised release following CLAYTON's release from imprisonment. During the period of supervised release, CLAYTON must pay full restitution. CLAYTON was ordered to make restitution in the amount of \$44,462.

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